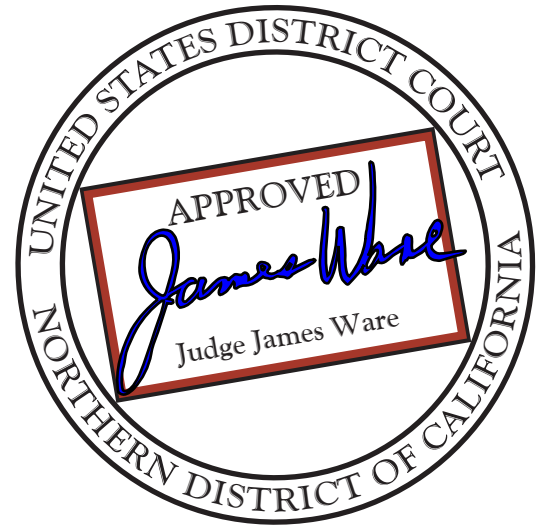


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Attorneys for Plaintiff
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOEL RUBINSTEIN,

Plaintiff,

vs.

SAP AG, a German corporation, SAP
AMERICA, INC., a Delaware corporation,
SAP LABS, LLC, a Delaware limited liability
company, and DOES 1-20, inclusive,

Defendants.

Case No. 3:11-cv-06134-JW

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DEFENDANT
SAP AMERICA'S DEADLINE TO FILE
AN ANSWER TO PLAINTIFF'S
AMENDED COMPLAINT**

Judge: Hon. James Ware
Dept.: 9

1 Plaintiff Joel Rubinstein (“Plaintiff”) and Defendant SAP America, Inc. (“Defendant”)¹,
 2 collectively referred to as the “Parties,” file this stipulation to extend the deadline by which
 3 Defendant must file its Answer to Plaintiff’s Amended Complaint.

4 WHEREAS, on November 7, 2011, Plaintiff filed his Complaint in the Superior Court of
 5 California in and for the County of Santa Clara;

6 WHEREAS, on December 6, 2011, Defendant timely removed the action to this Court
 7 based on diversity of the parties and original jurisdiction pursuant to 28 U.S.C. Section 1332;

8 WHEREAS, on January 17, 2012, Plaintiff filed an Amended Complaint;

9 WHEREAS, on February 3, 2012, Defendant filed a Motion to Dismiss Plaintiff’s
 10 Amended Complaint;

11 WHEREAS, on March 1, 2012, the Court granted in part, and denied in part, Defendant’s
 12 Motion to Dismiss as follows: (1) dismissing the Second and Third Causes of Action with
 13 prejudice; (2) dismissing the First Cause of Action with leave to amend; (3) dismissing all claims
 14 against Defendant SAP AG with leave to amend; (4) denying Defendant’s Motion as to the Sixth
 15 Cause of Action. The Court granted Plaintiff until March 16, 2012, to file an Amended
 16 Complaint, consistent with the terms of the Court’s Order; and

17 WHEREAS, Plaintiff did not file a further Amended Complaint by March 16, 2012.

18 Therefore, the Parties now jointly request that the Court issue an order granting an
 19 extension of time allowing Defendant SAP America, Inc. until on or before April 13, 2012 to file
 20 its Answer to Plaintiff’s Amended Complaint.

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 27 ¹ The Parties previously stipulated to dismissal of Defendant SAP Labs, LLC and, on March 1, 2012, the Court
 28 dismissed Defendant SAP AG. This Stipulation refers to Defendant, SAP America, Inc., in the singular,
 notwithstanding that certain actions referenced herein may have occurred before dismissal of the other defendants.

1 Dated: March 28, 2012

MORGAN, LEWIS & BOCKIUS LLP

2
3 By /S/ Michael Schlemmer

4 Melinda S. Riechert
5 Michael D. Schlemmer
6 Attorneys for Defendant
7 SAP AMERICA, INC.

8 Dated: March 28, 2012

BRAVERMAN KASKEY, P.C.

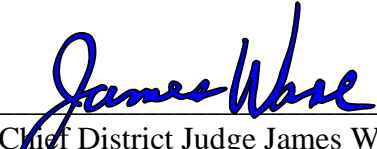
9
10 By /S/David Braverman (as authorized on 3/28/2012)

11 David L. Braverman
12 Attorneys for Plaintiff
13 JOEL RUBINSTEIN

14 **ORDER**

15 Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that Defendant SAP
16 America, Inc. shall have until April 13, 2012, to file and serve its Answer to Plaintiff's Amended
17 Complaint.

18 DATED: March 29, 2012

19 
20 Chief District Judge James Ware
21 United States District Judge
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